

RECEIVED  
CENTRAL FAX CENTER Docket No. 030712-17  
MAR 19 2007 Serial No. 10/692,690  
Page 3

**REMARKS**

The Official Action dated December 19, 2003 has been received and its contents carefully noted. In view thereof, claims 1 and 3 have been canceled in their entirety without prejudice nor disclaimer of the subject matter set forth therein. Accordingly, claim 2 is presently pending in the instant application.

Initially, Applicant wishes to acknowledge the Examiner's indication that claim 2 has been indicated as being allowable over the prior art of record. In this regard, with the foregoing amendments, it is respectfully submitted that the present application is now in proper condition for allowance.

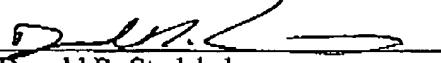
With respect to paragraphs 1 and 2 of the Office Action, claim 1 has been rejected under 35 U.S.C. §102(b) as being anticipated by Cohen et al. while claim 3 has been rejected under 35 U.S.C. 102(b) as being anticipated by Kudou. With the foregoing amendments, each of claims 1 and 3 have been canceled and consequently, further discussion with respect to the merits the rejection is no longer believed to be warranted.

Therefore, in view of the foregoing it is respectfully requested that the rejections of record be reconsidered and withdrawn by the Examiner, that claim 2 be allowed and that the application be passed to issue.

Docket No. 030712-17  
Serial No. 10/692,690  
Page 4

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,

  
Donald R. Studebaker  
Reg. No. 32,815

Nixon Peabody LLP  
401 9<sup>th</sup> Street N.W.  
Suite 900  
Washington, D. C. 20004  
(202) 585-8000